

BARRY McTIERNAN & MOORE

COUNSELORS AT LAW

55 CHURCH STREET
WHITE PLAINS, N.Y. 10601

TEL: 914-946-1030
FAX: 914-946-3814

2 RECTOR STREET
NEW YORK, N.Y. 10006

TEL: 212-313-3600
FAX: 212-608-8901
FAX: 212-608-8902 (Toxic Tort)

27 LONG MEADOW ROAD
TRUMBULL, CT 06611

TEL: 203-261-8060
FAX: 203-268-0384

PLEASE REFER TO

October 4, 2011

Via ECF

Chief Magistrate Steven M. Gold
United States District Court
Eastern District of New York
225 Cadman Plaza, East
Brooklyn, NY 11201

Re: Rodriguez v. the City of New York
P.A. Jr. v City of New York
10 CV 4661

Dear Magistrate Gold:

In response to the letter sent to Your Honor by counsel for P.A., Jr. and Your Honor's order, I want to clarify what we have done in order to ensure that all relevant documents have been preserved. The allegations of the three complaints are focused on the actions of one City agency, the Administration for Children's Services ("ACS"). We have instructed all relevant ACS personnel to preserve relevant documents regarding this family. In addition, the New York Police Department ("NYPD") continues to investigate the disappearance of P.A., Jr. and does not destroy documents in ongoing investigations. Nevertheless, we have notified the NYPD and other City offices who may have files on the family to preserve all relevant information during the pendency of this lawsuit.

Thank you.

Respectfully submitted,
BARRY, MCTIERNAN & MOORE

By: 
Suzanne M. Halbardier

SMH:lm
X:cases\NYC54816\MGold100411

cc: Via ECF
Robert Alexander Osuna, Esq.
Ambrose Wotorson, Esq.
Skadden Arps Slate Meagher & Flom LLP
Attorneys for Plaintiffs

Charles E. O'Bryan, Esq.
Jones, Hirsch, Connors & Bull, P.C.
Attorneys for Defendants St. Vincent's Services, Inc.